App. F. IX-4

Previous References

1940
193 .
( )
Legis

File No. 2 – 40

Serial Nos. 90

Later References.

(6)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one only

Part B for May 1941

SUBJECT.

Amendments to Defence of India Rules No 89

WD 0573—GPB—22,500—12-9-39

C. G. Vajranami
7/5/41

Amendments to Defence of India Rules 6164

General and Revenue Secretariat | File No. | of 194 | App. F. III-2

Serial No.

From ——

The Secretary to the Hon'ble the Resident.

7.3-40/W dated 28.4.41

re amendments to rule 89 of the Defence of India Rules.

Rule 89 of the Defence of India Rules relates to Control of road transport and empowers Government to take various steps to do so.

No present amendment applies to vessels used for transport on inland vehicles all these provisions and the powers given by the rule are made available in respect of such vessels also

As usual the amendment will be published in the Gazette for information

no further action is called for.

Submitted draft

Sd/- 30.4.41

For approval

BKR 30.4.41

Law Secy

Hon 1/5/41

Secy BKR 1.5.41

Issued P 5531- Legis 2.40.90 dt 2.5.41 dt

Compiler

TYPING SECTION 1 MAY 1941 GEN. & REV. SECTT.

7600 30/4

NOTE—Contn. Sheet.

CONFIDENTIAL.

No.F.3-40/W.

From

The Secretary to the Hon'ble the Res n Mysore.

To

The Chief Secretary to the Governme
His Highness the Maharaja of My Bangalore.

Dated Bangalore, 8th April 1941.

CB (Sm) 28/4

Part XIII of the Defence ia Rules - Amendments to Rul

Sir,

I am directed to invite the ion of the Government of Mysore to the Governmen India, Defence Co-ordination Department notification No OR/40, dated the 12th April 1941, copy of which is enclose

2. The intention of the Centr vernment in amending Rule 89 of the Defence of India Rul s that all the powers made available by existing rule 89 espect of vehicles should also be available in respect of ve s used for transport on inland waterways.

3. Three further points may mentioned: -

(i) insertion of the ds "or employed in connexion with" in rule 2)(d). The object is to enable compuls to be applied if necessary to the driver or w of a vehicle or vessel.

(ii) the penalty in e 89 remains at six months' imprisonment, hereas in rule 85B, the penalty stands at th years. Though offences against rule 85B and ainst rule 89(2)(f) and (ff) may often be des ving of punishment in the same degree, the vernment of India do not think that the di arity in the maximum penalties imposable s uld prove embarrassing in practice.

(iii) the amendment f clause (i) of rule 89(2). It was though that the original clause might be construed an unduly restrictive manner, and the more gneral formula has therefore been introduced

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

KRy

GOVERNMENT OF INDIA.

Defence Co-ordination Departmen

NOTIFICATION.

New Delhi, the 12th April 1941.

No.409-OR/40. - In exercise of the p onferred by section 2 of the Defence of India Act, 1939 f 1939), the Central Government is pleased to direct e following further amendments shall be made in the Defence a Rules, namely: -

In rule 89 of the said Rules, -

(1) in the heading, for the word d transport" the words "road and water transport" shall be sub ted;

(2) to sub-rule (1), the follow ause shall be added, namely: -

"(c) 'water transport' means nsport on inland waterways.";

(3) in sub-rule (2) -

(a) in clause (d), after the v "person owning," the words "or employed in connexion with hall be inserted;

(b) after clause (f) the fol g clause shall be inserted, namely: -

"(ff) provide for prohib g any person or class of persons from trav ing by any vehicle or class of vehicles;"

(c) in clause (i), for the ds "the regulation of traffic on highways", the following shall substituted, namely: -

"Securing the defence of ritish India, the public safety, the maintenance of public order the efficient prosecution of the war, or for maintaining supp s and services essential to the life of the community.";

(4) after sub-rule (2), e following sub-rule shall be inserted, namely: -

"(2A) The provision of sub-rule (2) shall also apply in relation to water transport nd vessels used or capable of being used for the purpose of ater transport, as they apply in relation to road transport and vehicles."

A. deC. Williams,

Secretary to the Government of India.

VN

No: P 5531

GENERAL AND REVENUE SECRETARIAT,

Bangalore, Dated, 2nd May 1941

Legis 2-40-90

NOTIFICATION.

The following Notifications of the Government of India, Defence Co-ordination Department, are hereby republished for general information.

By Order,

H.V. Narayana Rao

Secretary to Government,
Law Department.

30.4.41

To

The Compiler, Mysore Gazette, for publication in Part IV and sending 100 spare copies to this office very early.

409-OR/40 re 89

12.4.41

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE?

General and Revenue Secretariat,

No. Dated, Bangalore, the April 1941.

NOTIFICATION

The following Notifications of the Government of India, Defence Co-ordination Department, are hereby republished for general information:-

GOVERNMENT OF INDIA

Defence Co-ordination Department.

Notification

New Delhi, the 12th April 1941.

No.409-OR/40.- In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939 (XXXV of 1939(, the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:-

In rule 89 of the said rules,

(1) in the heading, for the words "road transport" the words "road and water transport" shall be substituted;

(2) to sub-rule (1), the following clause shall be added, namely:-

"(c) 'water transport' means transport on inland waterways";

(3) in sub-rule (2) -

(a) in clause (d) after the words "person owning", the words "or employed in connextion with", shall be inserted;

(d) after clause (f) the following clause shall be inserted. namely:-

"(ff) provide for prohibiting any person or class of persons from travelling by any vehicle or class of vehicles;"

(c) in clause (i) for the words "the regulation of traffic on highways", the following shall be substituted, namely:-

"Securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community";

(4) after sub-rule (2) the following sub-rule shall be inserted, namely:-

"(2A) The provisions of sub-rule (2) shall also apply in relation to water transport and vessels used or capable of being used for the purpose of water transport as

as they apply in relation to road transport and vehicles."

A. deC. Williams,

Secretary to the Government of India

By Order,

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV and sending 100 copies to this office very early.

SR/2